

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
LEANNE BAXTER, :  
:  
Plaintiff, : 24cv6241 (DLC)  
-v- :  
: ORDER  
SWIFTS SHIFT INC., et al., :  
:  
Defendants. :  
:  
-----X

DENISE COTE, District Judge:

On January 15, 2025, defendants filed a motion to dismiss the complaint pursuant to Rule 12(b) (6), Fed. R. Civ. P., and moved to strike pursuant to Rule 12(f), Fed. R. Civ. P. Under Rule 15(a)(1)(B), Fed. R. Civ. P., a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby

ORDERED that plaintiff shall file any amended complaint by **February 7, 2025**. It is unlikely that plaintiff will have a further opportunity to amend.

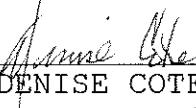
IT IS FURTHER ORDERED that if no amended complaint is filed, plaintiff shall file any opposition to the motion to dismiss by **February 7, 2025**. Defendants' reply, if any, shall be filed by **February 21, 2025**. At the time any reply is filed, the moving party shall supply Chambers with two (2) courtesy

copies of all motion papers by mailing or delivering them to the United States Courthouse, 500 Pearl Street, New York, New York.

IT IS FURTHER ORDERED that, pursuant to Rule 5(B) of the Court's Individual Rules of Practice in Civil Cases, the plaintiff shall file on ECF, by **February 7, 2025**, a letter no longer than two pages explaining the basis for her belief that diversity of citizenship exists.

IT IS FURTHER ORDERED that the initial pretrial conference scheduled for March 7, 2025 is adjourned sine die.

Dated: New York, New York  
January 15, 2025

  
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DENISE COTE  
United States District Judge